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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,574	10/09/2003	Craig A. Paulsen	IGT1P102	2573

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EXAMINER	
BROWN, VERNAL U	
ART UNIT	**PAPER NUMBER**
2612	

DATE MAILED: 09/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/605,574	PAULSEN ET AL.	
	Examiner	Art Unit	
	Vernal U. Brown	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 August 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-9,11-14,16-25,27-32,34-37,39-41 and 43-47* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4, 6-9,11-14, 16-25, 27-32, 34-37, 39-41, 43-47* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to communication filed on 8/16/06.

Response to Amendment

The examiner has acknowledged the amendment of claims 1, 11, 24, 36, and the cancellation of claim 10. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Response to Arguments

Applicant argues on page 12 that the reference of Bonder does not teach or suggests a gaming machine. It is the examiner's position that the recitation of gaming machine in claim 31 represents an intended use. It has been held that an intended use clause found in the preamble is not afford the effect of a distinguishing limitation unless the body of the claim sets forth structure that refers back to it, is defined by, or otherwise draws life and breath from the preamble. In re Casey, 152 USPQ 235 (CCPA 1967).

Regarding applicant's argument regarding the limitation of analyzing the source of indicia with respect to a stored biometric information file at a location separate from the key, Bonder teaches analyzing the second source of indicia with respect to biometric information file 44A stored in RAM 44 (col. 6 lines 25-30). The RAM 44 is not attached to the key and is therefore not at the location of the key.

Regarding applicant's argument regarding claim 41, the reference of Gatto teaches gaming machine in connection with a computer server 112 as shown in figure 1.

Regarding applicant's argument regarding restricting access based on one or more additional factors, Gokcebay et al. teaches restricting access to the key accessible environment by restricting the times and dates the key can access the lock environment (col. 5 lines 44-52, col. 19 lines 36-44).

Regarding applicant's argument regarding establishment of prima facie case of obviousness, it is the examiner's position that the motivation for combining the references are provided for each case of rejection under USC § 103. The motivational statements for combining the references are stated in the second paragraph of each rejection under USC § 103. Applicant's argument regarding the use of numerous non-analogous reference is a general allegation and does not provide any information as to which reference is considered non-analogous.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 11-14, 16, 18, 20, 24-25, 27-32, and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Bonder et al. US Patent 6078265.

Regarding claims 11-13, 16, 24-25, 27, 29-32, and 34, Bonder et al. teaches providing security in a key accessible environment comprising:

Receiving a key in a lock (col. 3 lines 53-54);

Reading a first indicia formed by the keyed cutting of the key blade 19 which is a physical characteristic of the key and reading a second source of indicia provided by a biometric indicia in the form of a fingerprint (col. 4 lines 28-55). Bonder et al. teaches authorizing the use of the key based on the reading of the first and second source of indicia (col. 4 lines 41-55). Bonder teaches analyzing the second source of indicia with respect to biometric information file 44A stored in RAM 44 (col. 6 lines 25-30). The RAM 44 is not attached to the key and is therefore not at the location of the key.

Regarding claim 14, Bonder teaches capturing live fingerprint data (col. 4 lines 5-9).

Regarding claims 18, 20, 28, and 35 Bonder et al. teaches the use of a PIN (col. 5 lines 29-30).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 1-3, 36-37, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeMay et al. US Patent6439996 in view of Bonder et al. US Patent 6078265 and further in view of Gokcebay et al. US Patent 6374653.

Regarding claims 1-3, 36-37, 39 LeMay et al. teaches the use of a key for providing security to a gaming machine method of providing security in a gaming machine, the method comprising: receiving a mechanical key in a lock within said gaming machine (col. 2 lines 35-46) as illustrated figure 1. LeMay et al. teaches authorizing the use of the key based on the information read from the key (col. 3 lines 9-16) but is silent on teaching reading a first source of information from the lock containing data specific to the lock and reading a second source of information containing data specific to the user. Bonder et al. in an art related security system teaches a key providing a first indicia formed by the keyed cutting of the key blade 19 and providing a biometric indicia in the form of a fingerprint (col. 4 lines 28-55). Lemay in view of Bonder is however silent on teaching restricting access to the key accessible environment selectively based on one or more additional factors. Gokcebay et al. in an art related locking mechanism teaches restricting access to the key accessible environment by restricting the times and dates the key can access the lock environment (col. 5 lines 44-52, col. 19 lines 36-44).

It would have been obvious to one of ordinary skill in the art to read a first source of information from the lock containing data specific to the lock and reading a second source of information containing data specific to the user in the form of biometric information because this improves the security of the lock and key mechanism by using the biometric information to uniquely identify the authorized user and the restricting access to the key accessible environment based on additional factors represent a desirable feature in a lock as disclosed by Gokcebay et al. (col. 5 lines 44-52) .

Claims 4 and 6-9, are rejected under 35 U.S.C. 103(a) as being unpatentable over LeMay et al. US Patent6439996 in view of Bonder et al. US Patent 6078265 in view of Gokcebay et al. US Patent 6374653 and further in view of Bradford et al. US patent 6709333.

Regarding claims 4 and 6-8, LeMay et al. teaches reading information from the key which is specific to the user (col. 3 lines 9-16) but is silent on teaching the information specific to the user comprises biometric information. Bradford et al. in an art related identification system teaches the use of biometric information (col. 5 lines 20-25) for uniquely identifying a user and also teaches embedding the biometric identification information in a key (col. 5 lines 36-51) and the biometric information includes fingerprint, facial recognition, and retina scan (col. 5 lines 43-46) in order for the identifying means to be carried and use easily.

It would have been obvious to one of ordinary skill in the art to use biometric information as the user identification information in LeMay because such biometric means would improve the ability to verify the identity of a person.

Regarding claim 9, LeMay et al. teaches reading information from the key which is specific to the user (col. 3 lines 9-16) but is silent on teaching revoking a previously authorized user ID. Gokcebay et al. in an art related locking mechanism teaches a programmable lock and teaches revoking a previously authorized ID by reprogramming the lock (col. 17 lines 12-19) for changing access to the locking device.

It would have been obvious to one of ordinary skill in the art to revoked a previously authorized user ID in LeMay et al because revoking a previously authorized user ID allows the

access list to be updated and ensure that only authorized person have access t the locking mechanism.

Claims 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonder et al. US Patent 6078265 in view of Bradford et al. US Patent 6709333.

Regarding claims 17, Bonder teaches reading a first indicia formed by the keyed cutting of the key blade 19 which is a physical characteristic of the key and reading a second source of indicia provided by a biometric indicia in the form of a fingerprint (col. 4 lines 28-55) but is silent on teaching the biometric comprises at least one of facial recognition, voice recognition, and retinal scan. Bradford et al. in an art related identification system teaches the use of biometric information (col. 5 lines 20-25) for uniquely identifying a user and also teaches embedding the biometric identification information in a key (col. 5 lines 36-51) and the biometric information includes fingerprint, facial recognition, and retina scan (col. 5 lines 43-46) in order for the identifying means to be carried and use easily.

It would have been obvious to one of ordinary skill in the art to use biometric information such as facial recognition of voice recognition as the user identification information in Bonder et al. because these a conventional biometric identification means used in a key for improving the ability to verify the identity of a person and improve the security of the system.

Claim 19 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonder et al. US Patent 6078265 in view of Gokcebay et al. US Patent 6374653.

Regarding claims 19 and 21-22, Bonder et al. teaches reading information from the key which is specific to the user (col. 4 lines 28-55) but is silent on teaching revoking a previously

authorized user ID. Gokcebay et al. in an art related locking mechanism teaches a programmable lock and teaches revoking a previously authorized ID by reprogramming the lock (col. 17 lines 12-19) for changing access including access time to the locking device.

It would have been obvious to one of ordinary skill in the art to revoked a previously authorized user ID in Bonder et al because revoking a previously authorized user ID allows the access list to be updated and ensure that only authorized person have access t the locking mechanism.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bonder et al. US Patent 6078265 in view of LeMay et al. US Patent 6439996.

Regarding claim 23, bonder et al. teaches the use of a key in a security environment (see response to claim 23) and teaches the use of the key in vault and safety boxes (col. 4 lines 1-2) but is silent on teaching the environment comprises a gaming machine. LeMay in an art related lock and key system teaches the use of key and lock a for providing security to a gaming machine (col. 2 lines 35-46).

It would have been obvious to one of ordinary skill in the art to use the security key of Bonder et al. in a gaming machine because Bonder et al. teaches the use of the key in safety vault and safety boxes and a key is conventionally used to secure accesses to a gaming machine as evidenced by LeMay.

Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over LeMay et al. US Patent 6439996 in view of Bonder et al. US Patent 6078265 in view of Gokcebay et al. US Patent 6374653and further in view of Bradford et al. US patent 6709333.

Regarding claim 40, LeMay in view of Bonder teaches reading a first indicia formed by the keyed cutting of the key blade 19 which is a physical characteristic of the key and reading a second source of indicia provided by a biometric indicia in the form of a fingerprint (see response to claim 36) but is silent on teaching the biometric comprises at least one of facial recognition, voice recognition, and retinal scan. Bradford et al. in an art related identification system teaches the use of biometric information (col. 5 lines 20-25) for uniquely identifying a user and also teaches embedding the biometric identification information in a key (col. 5 lines 36-51) and the biometric information includes fingerprint, facial recognition, and retina scan (col. 5 lines 43-46) in order for the identifying means to be carried and use easily.

It would have been obvious to one of ordinary skill in the art to use biometric information such as facial recognition of voice recognition as the user identification information in LeMay in view of Bonder et al. because these a conventional biometric identification means used in a key fro improving the ability to verify the identity of a person and improve the security of the system.

Claims 41, 43-44, and 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeMay et al. US Patent6439996 in view of Gatto et al. US Patent 6945870 and further in view of Bonder et al. US Patent 6078265.

Regarding claims 41, 43-44 and 45-47, LeMay et al. teaches the use of al key for providing security to a gaming machine method of providing security in a gaming machine, the method comprising: receiving a mechanical key in a lock within said gaming machine (col. 2 lines 35-46) as illustrated figure 1. LeMay et al. teaches authorizing the use of the key based on

the information read from the key (col. 3 lines 9-16) but is silent on teaching reading a first source of information from the lock containing data specific to the lock and reading a second source of information containing data specific to the user and gaming machine connected to a computer server. The reference of Gatto et al. teaches gaming machines connected to a computer server 112 as shown in figure 1 and the server also providing a database (col. 11 lines 25-29) in order to provide a secure and modular architecture for monitoring a group of gaming machines but is silent on teaching the second source of information comprises biometric information. Bonder et al. in an art related security system teaches a key providing a first indicia formed by the keyed cutting of the key blade 19 and providing a biometric indicia in the form of a fingerprint (col. 4 lines 28-55).

It would have been obvious to one of ordinary skill in the art to read a first source of information from the lock containing data specific to the lock and reading a second source of information containing biometric data specific to the user because this improves the security of the lock and key mechanism by using the biometric information to uniquely identify the authorized user and the gaming machines connected to a computer provides a secure and modular architecture for monitoring a group of gaming machines.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U. Brown whose telephone number is 571-272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 571-272-7308. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vernal Brown
September 8, 2006

BRIAN ZIMMERMAN
PRIMARY EXAMINER